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GAVIN NEWSOM  
GOVERNOR

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PIN 23-08-CCLD

TO: ALL CCLD FACILITY LICENSEES  
ALL REGISTERED HOME CARE PROVIDERS

FROM: *Original signed by Kevin Gaines*  
KEVIN GAINES  
Deputy Director  
Community Care Licensing Division

SUBJECT: **CRIMINAL BACKGROUND CLEARANCE TRANSFER REQUEST (LIC 9182) AND CRIMINAL RECORD EXEMPTION TRANSFER REQUEST (LIC 9188) FORM UPDATES**

**Provider Information Notice (PIN) Summary**

PIN 23-08-CCLD notifies all Community Care Licensing Division (CCLD) Licensees and Registered Home Care Aides of updates to the Criminal Background Clearance Transfer Request Form (LIC 9182) and the Criminal Record Exemption Transfer Request Form (LIC 9188) following the implementation of Senate Bill 1093 and Assembly Bill 1720.

The Community Care Licensing Division (CCLD), Care Provider Management Bureau (CPMB) is providing updated guidance on the process for transferring a criminal record clearance (clearance) or criminal record exemption (exemption) from one Department-licensed facility to another. The [Criminal Background Clearance Transfer Request form \(LIC 9182\)](#) and the [Criminal Record Exemption Transfer Request form \(LIC 9188\)](#) have been updated to reflect changes resulting from [Assembly Bill \(AB\) 1720 \(Holden\)](#) (Chapter 581, Statutes of 2022), and [Senate Bill \(SB\) 1093 \(Hurtado\)](#) (Chapter 614, Statutes of 2022), which became effective on January 1, 2023. Additionally, updates were made to the Privacy Notice on each form.

To ensure that clearance and exemption transfer requests, (including out-of-state child abuse and neglect [OSCA] checks, when applicable) are processed appropriately, individuals seeking to transfer their clearance or exemption are strongly

encouraged to use the new version of the applicable form when submitting a transfer request outside of the Department's online portal, Guardian. For information on performing transfers in Guardian, please review the [Guardian User Guide for Licensing and Home Care Agencies](#).

- [LIC 9182 \(1/23\) - Criminal Background Clearance Transfer Request](#)
- [LIC 9188 \(12/22\) - Criminal Record Exemption Transfer Request](#)

The latest version of the forms can be accessed by visiting the [CDSS Forms page](#).

NOTE: For specific information about clearance and exemption transfers for the Resource Family Approval (RFA) program, see [PIN 22-15-CRP](#).

### **Form Updates**

#### **SB 1093:**

- An individual or licensee requesting to transfer their clearance or exemption is no longer required to include verification of their identity with the request.
- If a licensee asks CPMB to verify whether an individual has a clearance or exemption that can be transferred, the licensee is responsible for verifying the individual's identity.

#### **AB 1720:**

- The transfer forms (LIC 9182 and LIC 9188) no longer require a Criminal Record Statement form (LIC 508) be submitted with the request. Use of the LIC 508 has been discontinued.
- A new section has been added to the LIC 9182 and LIC 9188 forms and is specifically for individuals requesting to transfer their clearance or exemption to a children's residential program facility, with specified exceptions. It requires these individuals to report whether they have lived in another state within the last 5 years for the purpose of conducting an OSCA check. The new section does not apply to Foster Family Agency staff, Youth Homelessness Prevention Centers, Private Alternative Boarding Schools, Private Alternative Outdoor Programs, and Crisis Nurseries.

### **ADDITIONAL INFORMATION/RESOURCES**

If you have questions regarding this PIN, please contact CPMB at 888-422-5669 or [Guardian@dss.ca.gov](mailto:Guardian@dss.ca.gov) for assistance.

The Department will convey all new information through PINs. Please [sign up to be notified here](#) and visit the [Department's website for the latest PINs](#).